

**United States Bankruptcy Court  
Western District of Texas**

In re Alan Offenbaker

Debtor(s)

Case No. 20-50399Chapter 7

**AFFIDAVIT ON RESPONSE TO ORDER TO SHOW CAUSE**

The Debtor, Alan Offenbaker, in the above captioned case being duly sworn upon oath, deposes and states as follows:

1. Affiant is and was at all times material Debtor in the captioned and numbered cause of action.
2. Affiant admits that he filed 3 prior proceedings under title 11 between 2014 and 2017.
3. Affiant filed under Chapter 13 in each of the prior cases in the process of saving a business that has subsequently failed.
4. Affiant filed cause 14-51519 in June of 2014 to recover and pay for a repossessed truck which was in the possession of the creditor after repossession, but after debtor recovered the vehicle, he learned that the truck had been cleaned out and among the items the creditor disposed of were his ongoing records and Debtor was unable to support his filing with reliable documents regarding his financial condition and the case was subsequently dismissed.
5. Affiant refiled in Chapter 13 in September of 2014 in Cause number 14-52344 and was successful in complying with the disclosure and ongoing requirements of chapter after he had an opportunity to put together his records, however he did suffer a serious injury/ illness which resulted in loss of the ability to work for a period of several months and was unable to keep up with payments and disclosure requirements of Chapter 13 which resulted in dismissal.
6. Affiant refiled in Chapter 13 in August of 2015, case number 15-51798 and performed substantially until he suffered a dispute with another contractor and was denied payment resulting in the complete failure of his business. The case was not dismissed until January of 2017, after some 16 months of performance under a plan.
7. Affiant was not advised he could convert the pending case to chapter 7 and suffered dismissal.
8. Affiant has file for relief under Chapter 7 for the first and only time in his life because he has no business prospects at the present and is in need of a fresh start.

1. 2. By signing this affidavit, I acknowledge that all of the statements contained herein are true and accurate and that the Court may rely on the truth of each of these statements in determining whether to Dismiss the Captioned or numbered cause or otherwise.

FURTHER AFFIANT SAYETH NOT:

Date February 26, 2020

Signature

Alan Offenbaker  
Alan Offenbaker  
Debtor

Subscribed and sworn to before me this

27<sup>th</sup>

day of

Feb. 2020

My Commission Expires:

11-19-2022